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4 Attorney for Defendant
5 STEVEN MILLER

6 IN THE UNITED STATES DISTRICT COURT

7 EASTERN DISTRICT OF CALIFORNIA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 STEVEN MILLER

12 Defendant.

13 CASE NO. 23-CR-00250 DJC

14 STIPULATION REGARDING EXCLUDABLE
15 TIME PERIODS UNDER SPEEDY TRIAL ACT;
16 FINDINGS AND ORDER

17 DATE: MARCH 7, 2024

18 TIME: 9:00 a.m.

19 COURT: HON. DANIEL J. CALABRETTA

20 **STIPULATION**

21 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
22 through defendant's counsel of record, hereby stipulate as follows:

23 1. Both parties now move to vacate the current status conference date of February 29, 2024,
24 and to set a status conference on March 7, 2024, at 9:00 a.m., and to exclude time between the date
undersigned and March 7, 2024 under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

25 2. The parties agree and stipulate, and request that the Court find the following:

26 a) Defense counsel is in a state court trial to start February 29, 2024;
27 b) Defendant is housed at Taft pretrial, and will be made present for March 7, 2024;
28 c) Defense counsel requires additional time to go through the discovery and
potential trial issues.

29 d) Counsel for defendant believes that failure to grant the above-requested
continuance would deny them the reasonable time necessary for effective preparation, taking into
account the exercise of due diligence.

30 e) The government agrees to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of the date undersigned to March 7, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

PHILLIP A. TALBERT
United States Attorney

Dated: February 26, 2024

/s/ DENISE N. YASINOW

Dated: February 26, 2024

Assistant United States Attorney

/s/ MARK J. REICHEL
MARK J. REICHEL
Counsel for Defendant

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 26th day of February, 2024.

Dated: February 26, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE